IN THE SUPREME COURT OF THE STATE OF NEVADA

MARK ANTHONY NEWTON,

Appellant,

vs.

THE STATE OF NEVADA,

Respondent.

FILED

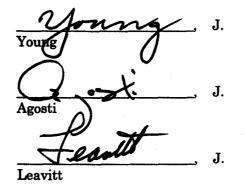
No. 38295

JANETTE M. BLOOM CLERK OF SUPREME COURT BY

ORDER DISMISSING APPEAL

This is an appeal from an order of the district court denying appellant's motion to dismiss counsel. Our review of this appeal revealed a potential jurisdictional defect. The right to appeal is statutory; where no statute or court rule provides for an appeal, no right to appeal exists.¹ No statute or court rule appears to provide for an appeal from an order denying a motion to dismiss counsel. Accordingly, on November 9, 2001, this court ordered counsel for appellant to show cause why this appeal should not be dismissed. On November 19, 2001, counsel filed a response in which counsel concedes that this court lacks jurisdiction. Accordingly, we

ORDER this appeal DISMISSED.



¹Castillo v. State, 106 Nev. 349, 792 P.2d 1133 (1990).

cc: Hon. Donald M. Mosley, District Judge Attorney General/Carson City Clark County District Attorney Clark County Public Defender Mark Anthony Newton Clark County Clerk